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JUN 22 2007

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUN 22 2007

FILED  
CLERK'S OFFICE.

RELEASED FOR PUBLICATION

DOCKET NO. 1836

06cv 969

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION  
IN RE MIRAPEX PRODUCTS LIABILITY LITIGATION**

**BEFORE WM. TERRELL HODGES,\* CHAIRMAN, D. LOWELL JENSEN, J.  
FREDERICK MOTZ, ROBERT L. MILLER, JR., KATHRYN H. VRATIL,  
DAVID R. HANSEN AND ANTHONY J. SCIRICA, JUDGES OF THE PANEL**

### **TRANSFER ORDER**

This litigation currently consists of 54 actions pending in the District of Minnesota, and one action pending in each of the following districts: the Northern District of California, the District of Maryland, the Western District of Missouri, and the Western District of Washington.<sup>1</sup> Common defendants in the actions move the Panel, pursuant to 28 U.S.C. § 1407, for an order centralizing this litigation in either the Southern District of New York or the District of Connecticut. Responding plaintiffs oppose transfer. In the event that the Panel orders centralization over their objections, responding plaintiffs support selection of the District of Minnesota as transferee forum.

On the basis of the papers filed and hearing session held, the Panel finds that these 58 actions involve common questions of fact, and that centralization under Section 1407 in the District of Minnesota will serve the convenience of the parties and witnesses and promote the just and efficient conduct of the litigation. All these actions involve common factual allegations concerning the alleged adverse side effects of the drug Mirapex, and the timeliness and adequacy of defendants' warnings concerning those side effects. Centralization under Section 1407 is necessary in order to eliminate duplicative discovery, prevent inconsistent pretrial rulings, and conserve the resources of the parties, their counsel and the judiciary.

We conclude that the District of Minnesota is an appropriate transferee forum in this docket because i) this district has the most advanced of the 58 actions; ii) the judge there has had an opportunity to become familiar with the litigation; and iii) Minneapolis is easily accessible.

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 1407, the actions in this litigation pending outside the District of Minnesota and listed on Schedule A are transferred to the District of Minnesota and, with the consent of that court, assigned to the Honorable James M. Rosenbaum for

\* Judges Hodges and Miller took no part in the disposition of this matter.

<sup>1</sup> In addition to these 58 actions, the Panel has been notified of more than 50 related actions. These actions and any other related actions will be treated as potential tag-along actions. See Rules 7.4 and 7.5, R.P.J.P.M.E. 1999 F.R.D. 423, 435-36 (2001).

of the electronic record filed on 6-25-07  
in the United States District Court  
for the District of Minnesota.

CERTIFIED, 6-29-07, 20\_\_.

RICHARD D. SLETTEN

BY:

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SCANNED

JUN 25 2007

U.S. DISTRICT COURT MPLS

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coordinated or consolidated pretrial proceedings with the actions pending in that district and listed on Schedule A.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "D. Lowell Jensen", written over a horizontal line.

D. Lowell Jensen  
Acting Chairman

## SCHEDULE A

### MDL-1836 -- In re Mirapex Products Liability Litigation

#### Northern District of California

*Therese Bottiglieri v. Pfizer Inc., et al.*, C.A. No. 3:06-3248

#### District of Maryland

*William David Livingston, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 1:06-1887

#### District of Minnesota

*Gary Selinsky, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-873

*Robert M. Zwayer, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-874

*Michael A. Dubaich, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-875

*Donald J. Nelsen v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-876

*Larry Webb, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-898

*Timothy Harms v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*, C.A. No. 0:06-899

*Timothy L. Estep v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-900

*Mary Conway v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*, C.A. No. 0:06-901

*Dennis M. Scharpen, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-1206

*Gary E. Charbonneau, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-1215

*Todd R. Cain v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*, C.A. No. 0:06-1582

*Manuel A. Quintela, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-1675

*Thaddeus R. Fayard v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-2144

*Hylton H. Dodd v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-2145

*Michael W. Averitt, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-2194

*William F. Courtney, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-2546

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**MDL-1836 Schedule A (Continued)**

District of Minnesota (Continued)

*Richard I. Bloom, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-2577  
*Joyce A. Anderson v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-2578  
*Kathleen R. Frye, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-2662  
*Cynthia Harris, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3009  
*Daniel M. Hayward, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3180  
*Daniel F. Neal v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*, C.A. No. 0:06-3182  
*Peggy J. Bronson v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3254  
*Theresa R. Seaman, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3255  
*Madeline J. Vingers v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3284  
*Irene M. Conejo v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3519  
*Melody S. Erickson v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3526  
*Alan Kite, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3527  
*George P. Wagner v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3537  
*Gordon J. Haughey, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3539  
*Stella C. Rush, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3544  
*Carl M. Milam, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3778  
*Floyd Wayne Kanuch v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-3839  
*Rick James Berger v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4358  
*Mark Mayer v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*, C.A. No. 0:06-4366  
*Resa King, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4502  
*George Konrad v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4699

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**MDL-1836 Schedule A (Continued)**

District of Minnesota (Continued)

*Steven Purser, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4783  
*Barbara Goldman, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4784  
*James Holmes, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4785  
*Florene D. Saracco v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4827  
*Greg Stutz v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*, C.A. No. 0:06-4828  
*Thomas M. Celorie v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4868  
*Maryann J. Deleo, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4869  
*William Chamberlain, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4870  
*Ronald P. Markel, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4871  
*Hilarie Pearce v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*, C.A. No. 0:06-4944  
*Linda Michels, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4945  
*David Emery, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4946  
*Richard Scott Brown v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4947  
*William Gage, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4948  
*Carolyn Paulette Shows, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-4949  
*Michele C. Glancy, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:06-5123  
*Tza Ping Aliya Lee, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 0:07-39

Western District of Missouri

*Wayne Jackson, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.*,  
C.A. No. 4:06-969

Western District of Washington

*Matthew Andresen, et al. v. Pfizer Inc., et al.*, C.A. No. 2:06-1413

*United States District Court  
District of Minnesota*

Office Of The Clerk  
300 S. Fourth St., Room 202  
Minneapolis, MN 55415

RICHARD D SLETTEN, CLERK  
(612) 664-5000

June 29, 2007

Ms. Pat Brune, Clerk  
United States District Court  
Charles Evans Whittaker United States Courthouse, 2nd Floor  
400 East Ninth Street  
Kansas City, MO 64106

In re: MDL-1836 -- In re: Mirapex Products Liability Litigation  
YOUR CASE NUMBER: C.A. No. 4:06-969 Jackson v. Boehringer  
DISTRICT OF MINNESOTA CASE NUMBER: 07cv3080 JMR/FLN

Dear Clerk :

A conditional transfer order of the Judicial Panel on Multidistrict Litigation under 28 U.S.C. §1407 was received and filed in this district on June 25, 2007. Enclosed is a certified copy of that order directing the transfer of your civil case to the District of Minnesota. The cases are assigned to Chief Judge James M. Rosenbaum and Magistrate Judge Franklin L. Noel for coordinated or consolidated pretrial proceedings. Please reference the case number assigned in this court on all correspondence or communications.

Please forward a certified copy of the docket sheet for the case listed above together with a received stamped copy of this letter to: Clerk, U. S. District Court, 300 S. Fourth Street, Room 202, Minneapolis, MN 55415. Communications regarding these actions should be directed to Ms. Mary Kaye Conery or Ms. Lou Jean Gleason at (612) 664-5000. Should you have any questions please do not hesitate to call.

Very truly yours,

RICHARD D. SLETTEN, CLERK

Mary Kaye Conery, Civil Docket Supervisor

Enclosure

cc: Chief Judge James M. Rosenbaum  
Judicial Panel on Multidistrict Litigation